

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS**

**Call to Order:** Chairman Art Noonan, on February 21, 2009 at 6:30 A.M., in Room 152 Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Art Noonan, Chairman (D)  
Rep. Robyn Driscoll, Vice Chairman (D)  
Rep. Harry Klock, Vice Chairman (R)  
Rep. Shannon Augare (D)  
Rep. Carlie Boland (D)  
Rep. Llew Jones (R)  
Rep. Mike Jopek (D)  
Rep. Gary MacLaren (R)  
Rep. Jesse O'Hara (R)  
Rep. Mike Phillips (D)  
Rep. Keith Regier (R)  
Rep. Wayne Stahl (R)  
Rep. Brady Wiseman (D)

**Members Excused:** None

**Members Absent:** Rep. Scott Reichner (R)

**Staff Present:** Bryce Bennett, Committee Secretary  
Todd Everts, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Due to a committee break, several audio recordings were made to cover the entirety of the meeting. After the first part of the meeting and its audio recording, a minute of silence was added to the final recording to represent the committee break before the second audio portion begins. The second portion of the audio recording for the meeting begins at the minute's time stamp of 01:03:00.

**Committee Business Summary:**

Hearing & Date Posted: None

Executive Action: HB 375; HB 483; HB 529; HB 566;  
HJ 23

00:00:27 Chairman Noonan made committee announcements.

**EXECUTIVE ACTION ON HB 483**

00:04:56 **Motion:** Rep. Jones moved that **HB 483 DO PASS.**

00:05:18 **Motion:** Rep. Jones moved that **HB 483 BE AMENDED.**  
**EXHIBIT**(feh41a01)

**Discussion:**

00:05:43 Rep. Driscoll  
00:06:11 Todd Everts, Legislative Services Division (LSD)  
00:06:23 Rep. Reichner arrived.  
00:06:36 Chairman Noonan  
00:06:51 Rep. Jones  
00:07:17 Mr. Everts  
00:07:26 Rep. Phillips  
  
00:07:52 **Vote:** Motion carried 13-1 by voice vote with Rep.  
Phillips voting no.

00:08:17 **Motion:** Rep. Jopek moved that **HB 483 BE AMENDED.**  
**EXHIBIT**(feh41a02)

**Discussion:**

00:08:28 Rep. Jopek  
00:09:26 Rep. Phillips  
00:09:44 Mr. Everts  
00:10:04 Rep. Phillips  
00:10:28 Rep. Driscoll  
00:10:38 Rep. Jopek  
00:11:07 Rep. Jones  
00:13:24 Rep. Jopek  
00:13:37 Chairman Noonan  
00:13:59 Rep. Jones  
00:14:07 Chairman Noonan  
00:14:22 Rep. Jones

00:15:38 Rep. Wiseman  
00:17:16 Rep. Phillips  
00:17:33 Rep. Jones  
00:19:51 Rep. Phillips  
00:20:39 Rep. Stahl  
00:21:03 Rep. Klock called the question on the amendment.  
  
00:21:20 **Vote:** Motion failed 6-8 by roll call vote with Rep.  
Boland, Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep.  
Phillips, and Rep. Wiseman voting aye.

00:22:37 **Motion:** Rep. Jopek moved that **HB 483 BE AMENDED.**  
**EXHIBIT**(feh41a03)

**Discussion:**

00:23:59 Rep. Jones  
00:24:04 Mr. Everts  
00:24:15 Rep. Jones  
00:25:55 Mr. Everts  
00:26:12 Rep. Jones  
00:26:30 Mr. Everts  
00:26:47 Rep. Wiseman  
00:27:16 Rep. Phillips  
00:28:09 Rep. Jones  
00:29:25 Rep. Jopek  
00:29:55 Chairman Noonan  
00:30:08 Speaker Bob Bergren  
00:31:09 Rep. Jones  
00:32:08 Rep. Driscoll called the question on the amendment.  
00:32:16 Chairman Noonan  
  
00:32:37 **Vote:** Motion failed 3-11 by roll call vote with Rep.  
Noonan, Rep. Phillips, and Rep. Wiseman voting aye.

00:33:43 **Motion:** Rep. Noonan moved that **HB 483 BE AMENDED.**  
**EXHIBIT**(feh41a04)

**Discussion:**

00:34:07 Chairman Noonan  
00:37:25 Mr. Everts  
00:37:49 Rep. Jones  
00:38:39 Chairman Noonan  
00:39:04 Rep. Jones  
00:39:07 Mr. Everts  
00:39:18 Rep. Phillips  
00:39:30 Mr. Everts

00:40:08 Rep. Phillips  
00:40:20 Chairman Noonan

00:40:39 **Motion:** Chairman Noonan moved that the amendment be divided.

**Discussion on Sections 1, 2, and 11:**

00:40:55 Rep. Jones  
00:41:36 Mr. Everts  
00:42:13 Rep. Jones  
00:42:34 Mr. Everts  
00:42:44 Rep. Wiseman  
00:43:35 Chairman Noonan  
00:45:20 Rep. Wiseman  
00:45:56 Rep. Augare called the question.

00:46:04 **Vote:** Motion tied 7-7 by roll call vote with Rep. Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting aye.

**Discussion on Sections 3, 4, 5, 9, and 10**

00:47:35 Chairman Noonan  
00:47:53 Rep. Reichner called the question.

00:47:59 **Vote:** Motion failed 0-14 by voice vote.

**Discussion on Section 6**

00:48:01 Chairman Noonan  
00:48:16 Rep. Jones  
00:48:52 Rep. Jones  
00:50:23 Rep. Jopek  
00:50:32 Mr. Everts  
00:51:53 Chairman Noonan

00:52:34 **Vote:** Motion tied 7-7 by roll call vote with Rep. Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting aye.

**Discussion on Section 7**

00:54:19 Chairman Noonan  
00:54:25 Rep. Jones  
00:54:36 Rep. Driscoll called the question.

00:54:42 **Vote:** Motion carried unanimously by voice vote.

**Discussion on Section 8**

00:54:53 Mr. Everts  
00:55:30 Chairman Noonan  
00:55:53 Rep. Jones  
00:56:39 Chairman Noonan

00:57:09 **Vote:** Motion tied 7-7 by roll call vote with Rep.  
Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek, Rep.  
Noonan, Rep. Phillips, and Rep. Wiseman voting aye.

**Discussion:**

00:57:49 Mr. Everts

00:58:37 **Motion:** Rep. Jones moved that **HB 483 DO PASS AS  
AMENDED.**

**Discussion:**

00:58:54 Rep. Phillips  
00:59:04 Chairman Noonan  
01:00:05 Rep. Jopek  
01:00:23 Rep. Jones  
01:00:36 Chairman Noonan  
01:00:50 Rep. Jones  
01:01:13 Chairman Noonan

01:02:36 Break  
01:03:51 Reconvene

01:03:58 **Motion:** Rep. Noonan moved that **HB 483 BE AMENDED.**  
**EXHIBIT**(feh41a05)

**Discussion:**

01:04:04 Rep. Jones  
01:04:17 Chairman Noonan  
01:04:27 Rep. Stahl called the question.

01:04:29 **Vote:** Motion carried unanimously by voice vote.

01:04:56 **Motion:** Rep. Noonan moved that **HB 483 BE AMENDED.**  
**EXHIBIT**(feh41a06)

**Discussion:**

01:05:07 Mr. Everts  
01:05:45 Rep. Jones  
01:05:53 Mr. Everts  
01:06:09 Rep. Jones

01:06:17 **Vote:** Motion carried unanimously by voice vote.

01:06:27 **Motion:** Rep. Jones moved that **HB 483 DO PASS AS AMENDED.**

**Discussion:**

01:06:34 Rep. Augare  
01:07:29 Rep. Reichner

01:08:03 **Vote:** Motion carried 13-1 by roll call vote with Rep. Driscoll voting no.

**EXECUTIVE ACTION ON HB 529**

01:09:04 **Motion:** Rep. Jones moved that **HB 529 DO PASS.**

**Discussion:**

01:12:32 Rep. Wiseman  
01:13:33 Rep. Jones  
01:14:03 Rep. Jopek  
01:14:21 Rep. Jones  
01:15:03 Chairman Noonan  
01:15:10 Mr. Everts  
01:15:39 Rep. Reichner called the question on HB 529.

01:15:43 **Vote:** Motion carried 12-2 by roll call vote with Rep. Driscoll and Rep. Jopek voting no.

**EXECUTIVE ACTION ON HB 566**

01:16:33 **Motion:** Rep. Jones moved that **HB 566 DO PASS.**

01:16:53 **Motion:** Rep. Jones moved that **HB 566 BE AMENDED.**  
**EXHIBIT (feh41a07)**

**Discussion:**

01:17:08 Mr. Everts

01:17:58 Rep. Jones

01:19:10 **Vote:** Motion carried unanimously by voice vote.

01:19:19 **Motion:** Rep. Jones moved that **HB 566 DO PASS AS AMENDED.**

**Discussion:**

01:19:25 Rep. Jones

01:22:01 Rep. Jopek

01:22:34 Rep. Jones

01:24:18 Rep. Jopek

01:24:44 Mr. Everts

01:25:23 Rep. Jones

01:25:42 Chairman Noonan

01:25:47 Mr. Everts

01:26:02 Rep. Jones

01:26:32 Mr. Everts

01:26:59 Rep. Jones

01:27:37 Rep. Stahl

01:28:13 Rep. Jones

01:28:38 Mr. Everts

01:28:45 Rep. Jones

01:29:11 Chairman Noonan

01:30:27 **Vote:** Motion carried 8-6 by roll call vote with Rep. Boland, Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting no.

**EXECUTIVE ACTION ON HB 375**

01:31:37 **Motion:** Rep. Phillips moved that **HB 375 DO PASS AS AMENDED.**

**Discussion:**

01:32:13 Rep. Phillips

01:33:19 Rep. Regier

01:33:20 Rep. Reichner

01:33:38 Rep. Phillips

01:33:50 Rep. Jones

01:34:07 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HJ 23**

01:34:36 **Motion:** Rep. Augare moved that **HJ 23 DO PASS.**

**Discussion:**

01:34:45 Chairman Noonan

01:34:56 Rep. Regier

01:35:31 Rep. Phillips called the question on HJ 23

01:35:35 **Vote:** Motion carried unanimously by voice vote.



**ADJOURNMENT**

Adjournment: 9:37 A.M.

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Bryce Bennett, Secretary

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Additional Documents:

**EXHIBIT ([feh41aad.pdf](#))**